THE HONOURABLE SMT JUSTICE T. MEENA KUMARI
AND
THE HONOURABLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No. 12423 OF 2006

ORAL ORDER:
(Per T. Meena Kumari, J)

The present Writ Petition is filed questioning the Orders of the learned Central Administrative Tribunal, Hyderabad Bench, Hyderabad dated 9.3.2005 passed in T.A.No. 1 of 2004.

Brief facts of the case are that:

Petitioners herein are the applicants before the Central Administrative Tribunal. The members of the Association, who are casual labours engaged in the respondents organization and have attained temporary status. Earlier the applicants approached the High Court by filing W.P.Nos. 9445,9897 and 10272 of 1991 which were allowed by way of a common order dated 13.4.1992. Since the judgment of the High Court was not implemented, the petitioners therein filed C.P. and during the pendency of the C.P. the respondents framed the scheme for absorption of the petitioners therein in terms of the order of the High Court. It is the specific case of the applicants that although in terms of the said scheme the respondents have regularized the services of some of the petitioners in the earlier writ petitions, but the respondents have not absorbed the applicants herein and violating the order of the High Court, the respondents have regularized the services of those casual labourers who could not satisfy the educational qualification. In this context, they have categorically stated in the application that even though there are qualified candidates, who passed VIII standard are available, who

were petitioners in the earlier Writ Petitions, the respondents intentionally and deliberately not regularized their services only with the reason that they have approached the High Court for the redressal of their grievance. The learned Central Administrative Tribunal has disposed of the T.A.No. 1 of 2004 with the following directions:

> "Respondents are directed to examine the case of the applicants vis-a-vis those persons, who have been absorbed in terms of the O.M. dated 10.9.1993 and if it is found that they are not having qualifications prescribed by the High Court of A.P. in the judgment dated 13.4.1992 and the applicants are possessing the prescribed qualification and one otherwise eligible, the respondents shall pass appropriate order within a period of one month from the date of communication of this order"

Heard both sides.

The learned counsel for the petitioners submit that basing on the directions given by the learned Central Administrative Tribunal, the respondents may be directed to regularize the services of all the available temporary status casual workers into the category of Group-D within a specified time without going for direct recruitment.

As can be seen from the order of the learned tribunal, that only a direction was given to the respondents to consider the cases of the applicants. However, we do not find any illegality or irregularity in the order passed by the learned Central Administrative Tribunal.

Accordingly, the Writ Petition is dismissed.

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T. MEENA KUMARI, J

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G. CHANDRAIAH,

J

12.6.2007

CHV